

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Offic**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

AM91/0412

INNOVATION AVENUE INC
SIXTH FLOOR
10000 BELLWOOD AVENUE
MILPITAS, CA 95035
TEL: 408 437-1000

ART UNIT

PAPER NUMBER

5
DATE MAILED:

10/12/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/652,714	AGARWAL, VISHNU K.
Examiner	Art Unit	
José R. Diaz	2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Office Action Summary

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____ .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 36-39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 36-39 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are objected to by the Examiner.

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____
16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4 . 20) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

➤ The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

➤ Claims 36-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Cuchiaro et al. (US Patent No. 6,165,802).

Regarding claims 36-37, Cuchiaro et al. teach a method of forming a semiconductor device (see columns 1-16), comprising: depositing a first conductive layer (124) having a surface (see Figure 1); incorporating an oxygen-free material into said surface (see col. 10, lines 43-45); depositing a second conductive layer (126) on said surface (see Figure 1); and exposing said second conductive layer to a thermal process (see col. 5, lines 33-36).

➤ Claims 36 and 38-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Takaishi (US Patent No. 5,726,083).

Regarding claims 36, Takaishi teaches a method of forming a semiconductor device (see columns 1-20), comprising: depositing a first conductive layer having a surface (see col. 3, lines 48-49); incorporating an oxygen-free material into said surface (see col. 3, lines 50-53); depositing a second conductive layer on said surface (see col.

4, lines 15-17); and exposing said second conductive layer to a thermal process (see col. 4, lines 18-20).

Regarding claims 38-39, Takaishi teaches that said step of depositing a first conductive layer comprises depositing a plug (see col. 4, lines 15-16); and said step of exposing said second conductive layer to a thermal process comprises flowing said second conductive layer (see col. 4, lines 17-19).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José R. Díaz whose telephone number is (703) 308-6078. The examiner can normally be reached on 8:00 - 5:00 Monday through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

JRD
April 9, 2001